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9 UNITED STATES DISTRICT COURT
10 DISTRICT OF NEVADA

11 United States of America,

12 Plaintiff,

13 v.

14 Randall Linscheid,

15 Defendant.

3:19-CR-00036-MMD-WGC

**Preliminary Order of
Forfeiture**

16 This Court finds Randall Linscheid pled guilty to Count Two of a Two-Count
17 Indictment charging him with possession of child pornography in violation of 18 U.S.C. §
18 2252A(a)(5)(B). Indictment, ECF No. 1; Change of Plea, ECF No. 30; Plea Agreement,
19 ECF No. 31.

20 This Court finds Randall Linscheid agreed to the forfeiture of the property set forth
21 in the Plea Agreement and the Forfeiture Allegation of the Indictment. Indictment, ECF
22 No. 1; Change of Plea, ECF No. 30; Plea Agreement, ECF No. 36.

23 This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States
24 of America has shown the requisite nexus between property set forth in the Plea Agreement
25 and the Forfeiture Allegation of the Indictment and the offense to Randall Linscheid pled
26 guilty.

27 The following property is (1) any visual depiction described in 18 U.S.C. § 2252A, or
28 any book, magazine, periodical, film, videotape, or other matter which contains any such

1 visual depiction, which was produced, transported, mailed, shipped or received in violation
2 of 18 U.S.C. § 2252A(a)(5)(B) and (2) any property, real or personal, used or intended to be
3 used to commit or to promote the commission of 18 U.S.C. § 2252A(a)(5)(B) or any
4 property traceable to such property, and is subject to forfeiture pursuant to 18 U.S.C. §
5 2253(a)(1) and 2253(a)(3):

- 6 1. Acer ZRQ Laptop, Serial Number: NXMP2AA0014190E5D27600;
 - 7 2. Lenovo Laptop Idea Pad 120S, Serial Number: YD02Z9PM; and
 - 8 3. Toshiba Hard Drive, Serial Number: Z411SACPS64A
- 9 (all of which constitutes property).

10 This Court finds that the United States of America may amend this order at any time
11 to add subsequently located property or substitute property to the forfeiture order pursuant
12 to Fed. R. Crim. P. 32.2(b)(2)(C) and 32.2(e).

13 This Court finds the United States of America is now entitled to, and should, reduce
14 the aforementioned property to the possession of the United States of America.

15 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND
16 DECREED that the United States of America should seize the aforementioned property.

17 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all possessory
18 rights, ownership rights, and all rights, titles, and interests of Randall Linscheid in the
19 aforementioned property are forfeited and are vested in the United States of America and
20 shall be safely held by the United States of America until further order of the Court.

21 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States
22 of America shall publish for at least thirty (30) consecutive days on the official internet
23 government forfeiture website, www.forfeiture.gov, notice of this Order, which shall
24 describe the forfeited property, state the time under the applicable statute when a petition
25 contesting the forfeiture must be filed, and state the name and contact information for the
26 government attorney to be served with the petition, pursuant to Fed. R. Crim. P. 32.2(b)(6)
27 and 21 U.S.C. § 853(n)(2).

1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual
2 or entity who claims an interest in the aforementioned property must file a petition for a
3 hearing to adjudicate the validity of the petitioner's alleged interest in the property, which
4 petition shall be signed by the petitioner under penalty of perjury pursuant to 21 U.S.C. §
5 853(n)(3) and 28 U.S.C. § 1746, and shall set forth the nature and extent of the petitioner's
6 right, title, or interest in the forfeited property and any additional facts supporting the
7 petitioner's petition and the relief sought.

8 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any,
9 must be filed with the Clerk of the Court, Bruce R. Thompson U.S. Courthouse and Federal
10 Building, 400 South Virginia Street, 3rd Floor, Reno, Nevada 89501, no later than thirty
11 (30) days after the notice is sent or, if direct notice was not sent, no later than sixty (60) days
12 after the first day of the publication on the official internet government forfeiture site,
13 www.forfeiture.gov.

14 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the
15 petition, if any, shall be served upon the Asset Forfeiture Attorney of the United States
16 Attorney's Office at the following address at the time of filing:

17 Daniel D. Hollingsworth
18 Assistant United States Attorney
19 James A. Blum
20 Assistant United States Attorney
501 Las Vegas Boulevard South, Suite 1100
Las Vegas, Nevada 89101.

21 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice
22 described herein need not be published in the event a Declaration of Forfeiture is issued by
23 the appropriate agency following publication of notice of seizure and intent to
24 administratively forfeit the above-described property.

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1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send
2 copies of this Order to all counsel of record.

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4 DATED THIS 7th day of October 2019.

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8 HONORABLE MIRANDA M. DU
9 UNITED STATES DISTRICT JUDGE
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